

EXHIBIT 1

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**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

MMAS RESEARCH LLC,

Plaintiff,

v.

Case No.: 1:24-cv-12108-DJC

THE CHILDREN'S HOSPITAL CORPORATION,
et, al.,

Defendants.

**DECLARATION OF PHILIP MORISKY IN SUPPORT OF THE MORISKY
DEFENDANTS' MOTION TO DISMISS THESE DEFENDANTS FOR
LACK OF PERSONAL JURISDICTION**

I, Philip Morisky, make this declaration pursuant to 28 U.S.C. § 1746 in support of Defendants Dr. Donald Morisky and Morisky Medication Adherence Research LLC ("MMAR") (collectively, the "Morisky Defendants")'s Motion to Dismiss these for lack of Personal Jurisdiction.

1. I am the son of Dr. Morisky and the CEO of Defendant Morisky Medication Adherence. I make this declaration based on my personal knowledge and am willing to testify to the same.

2. I understand that Plaintiff alleges in its First Amended Complaint ("FAC") that the Morisky Defendants are subject to liability in this jurisdiction for the act of granting a free license to Defendant, The Children's Hospital Corporation (the "Hospital") to use Dr. Morisky's registered copyright (Reg. No. TX8632533) for assessing whether a patient is taking their medication as prescribed for use in a research study.

3. To help a practitioner make this assessment of "medication adherence," Dr. Morisky developed the renowned "Morisky Medication Adherence Scale," and an eight-part questionnaire and scoring protocol, the "MMAS-8" which Dr. Morisky registered with the United States

Copyright office (Reg. No. TX8632533).

4. Neither my father, Dr. Morisky, nor MMAR reside in or conduct business in Massachusetts. Dr. Morisky is an Emeritus UCLA professor of Public Health and founder of Morisky Medication Adherence Research, LLC (MMAR) which facilitates the licensure of his copyrights and trademarks. Dr. Morisky retired in 2017, and resides in Las Vegas, Nevada. MMAR is a Nevada limited liability company operated from Nevada and remotely by myself from my home in California. MMAR was founded by Dr. Morisky and is authorized to license his copyrighted works.

5. In the fall of 2022, I sent a permission letter to the Hospital licensing it to use the MMAS-8 without charge in connection with a study the Hospital was undertaking to determine the efficacy of a monetary incentive on medication adherence.

6. By way of background, Dr. Morisky received a Master of Science degree in 1977 and a Doctor of Science degree in 1981, both from Johns Hopkins School of Hygiene and Public Health (Behavioral Sciences and Health Education). Dr. Morisky concluded his full-time professorship at UCLA in 2017, after approximately 35 years of distinguished service as a Tenured Professor, a Vice Chair, and later Chair of the Department of Community Health Sciences, and as the Program Director for the Masters of Public Health for Health Professionals Program (MPH-HP). He has published over 30 books, book chapters or monograms and has authored or co-authored over 300 articles in peer-reviewed journals, in addition to numerous seminar presentations and speaking engagements for over three decades.

7. Dr. Morisky is known worldwide as the foremost expert on identifying and remediating the life-threatening risks associated with the failure of patients to comply with medication protocols. Medical practitioners and clinicians have long known that patients too often die from avoidable complications with terminal or chronic illnesses simply because they fail to take their medication as prescribed.

8. In 1986, after engaging in numerous research focus group sessions with patients, Dr.

Morisky identified four simple yet critical questions that upon clinical study, proved to effectively predict medication adherence. This four-part questionnaire became known as the “Morisky Medication Adherence Scale” or “MMAS” and is now known as the “MMAS-4” (US Copyright Reg. No. TX8285390).

9. From 1993 to 1997, Dr. Morisky worked as an external consultant on a NIH (National Institutes of Health) to refine and improve the MMAS. The focus of this research was not merely to identify potentially non-compliant patients, but importantly, to inform the medical practitioner of exactly “why” the patient was not likely to take the prescribed medication. The result was Dr. Morisky’s development of a simple eight-part questionnaire called the “MMAS-8” (US Copyright Reg. No. TX8632533). The Morisky Scales are considered the “Gold Standard” worldwide in peer-reviewed journals for the assessment and remediation of patient medication adherence.

10. These scales, and particularly the MMAS-8, have been licensed to various universities, hospitals, and pharmaceutical companies worldwide for studies to assess medical adherence with regard to discrete medications. Because of the ubiquitous use of the Morisky Scales in such studies, it was not uncommon for such institutions to publish an intent to use the Morisky Scales in a proposed study before obtaining a license from Dr. Morisky.

11. In late 2022, I learned that the Hospital was conducting a study to assess adherence level in adolescents with a prescribed statin drug “using the Morisky Medication Adherence Scales (MMAS)”. After confirming that no license had been granted to the Hospital for such a study, I contacted Dr. Jacob Hartz who was identified as the person at the Hospital overseeing the study.

12. Dr. Hartz confirmed that the Hospital intended to use the MMAS-8 for its study and that it did not have a license from Dr. Morisky. To remedy this, I emailed from my home in California a permission letter licensing the Hospital to use the MMAS-8 without charge for the study, which also authorized and provided that the Hospital attribute to Dr. Morisky the license for use of the registered MMAS-8 in its report on the study.

13. To my knowledge, neither Dr. Morisky nor MMAR have engaged in any other

business activity in Massachusetts.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge and belief.

Dated: March 5, 2025.


Philip Morisky, MBA, CEO
Morisky Medication Adherence LLC